

## Lowell License Commission | Meeting Minutes for April 13, 2023



This meeting was held in City Council Chambers, second floor, City Hall, 375 Merrimack St. on Thursday, April 13, 2023, at 6:00 PM and remotely by Zoom: 857 2849 6787 Passcode: 152938.

Video of this meeting is available: <https://youtu.be/awmnk7g5h4o>

### ROLL CALL:

On a roll call at 18:02, members present were, namely: **Commission Chair Descoteaux, Commissioner Krieger, and Commissioner Chhan. Commissioner Howe and Commissioner Donahue were absent.**

### MINUTES:

- 0 Acceptance of the meeting minutes for March 23, 2023.

**Commissioner Krieger made a motion to approve the minutes and place minutes on file for the Lowell License Commission Meeting of Thursday, March 23, 2023; seconded by Commissioner Chhan. 3 years, APPROVED.**

- 1 Applications by Bob Kefalas for a "Special One Day License to sell/dispense All Alcoholic Beverages" for the Hellenic American Academy Comedy Night Fundraiser on Saturday, April 29, 2023 from 6:30 to 11 PM at the Academy, 41 Broadway Street.

Haralambos "Bob" Kefalas was present. He gave an overview of the event and noted he was anticipating about 200 attendees. C. Descoteaux asked if the bartender was TIPs Certified, to which Mr. Kefalas said they would be.

**Move approval by Commissioner Krieger; seconded by Commissioner Chhan. 3 years, APPROVED.**

- 2 Application by Alaina Brackett, owner of Purple Carrot Bread Co., for a "Special One Day License to sell/dispense Malt Beverages & Wines" for a Pappardelle Menu Launch on Saturday, April 22, 2023 from 5 to 9PM at Purple Carrot, 107 Merrimack Street.

Alaina Brackett appeared before the Commission. She stated that they were getting a lot of "buzz" for the new restaurant she's preparing to open, Pappardelle. She noted that this application for alcohol is for service during a menu testing being held at Purple Carrot, similar to the last four they have held.

**Move approval by Commissioner Krieger; seconded by Commissioner Chhan. 3 years, APPROVED.**

- 3 Applications by Amanda Etingé, for two "Special One Day Licenses to sell/dispense Malt Beverages and Wines only," for the following events at the Hellenic Center, 41 Broadway Street:
  - a. Saturday, May 6, 2023, 7-12:30 AM: Celebration of Life.

b. Saturday, May 13, 2023, 7PM - 12:30AM: Mother's Day Celebration.

Amanda Etingé joined the meeting on Zoom. C. Descoteaux asked Lowell Police Captain Peaslee if there had been any issues with any of Ms. Etingé's prior events, to which the Captain said 'no.'

**Move approval by Commissioner Krieger; seconded by Commissioner Chhan. 3 yeas, APPROVED.**

- 4 Applications by Joel Mongeon for two "Special One Day License to sell/dispense Malt Beverages & Wines" for concerts that will be held from 6 to 11 PM at Mill No. 5, 250 Jackson Street:
- a. Friday, April 28, 2023, 6-11 PM: Town & City Concert.
  - b. Saturday, April 29, 2023, 6-11 PM: Town & City Concert.

Joel Mongeon appeared in person before the Commission. Mr. Mongeon confirmed the events would be much like previous events, and C. Descoteaux asked Lowell Police Captain Peaslee to talk about issues at the venue, to which Captain Peaslee said "Everything's great over there."

**Move approval by Commissioner Chhan; seconded by Commissioner Krieger. 3 yeas, APPROVED.**

- 5 Application by Patrick Fitzgibbons, Aramark, for a "Special One Day License to sell/dispense Malt Beverages & Wines" for a Spring Fashion Show on Tuesday, April 18, 2023, from 5:30 to 8 PM at Coburn Hall, 850 Broadway Street.

Mr. Fitzgibbons described his event to the Commission – that they were having light refreshments for the graduating seniors in a design course, and that this was an opportunity for them to showcase their work.

**Move approval by Commissioner Krieger; seconded by Commissioner Chhan. 3 yeas, APPROVED.**

- 6 Application for Second Hand Motor Vehicles – Used Car Dealer, Class II, for Lowell Used Car Dealer Inc., Dinh Nguyen, President, for premises at 771 Dutton Street, an open lot, approx. 8100 sq. ft. with an office that is shared with Ben Auto Body. Conditions: Maximum of twenty-seven cars for sale and two parking spaces for customer/employee.

Dinh Nguyen appeared before the Commission with his associate, Cuong "Tony" Mai, who mainly acted as a translator. Commission Chair Descoteaux confirmed with Secretary Pyers that the "Plan" for the lot was consistent with the prior dealer. Commissioner Krieger asked for clarification on the employee/customer parking available, and Mr. Mai explained how Mr. Nguyen was meeting the zoning requirements. Commissioner Chhan stated that he



believed there was a lot of cleaning that should be done before the lot could be used as a dealer. Commissioner Chhan made a motion to approve the application on the condition that the lot be cleaned of derelict and part cars.

**Move approval on condition of cleaning the lot by Commissioner Chhan; seconded by Commissioner Krieger. 3 years, APPROVED.**

- 7 Public hearing on the application by Hot Pot District LLC [d/b/a] Hot Pot, to amend their "All Alcoholic Beverages restaurant" license, with a change of officers and ownership interest for premises at 135 Middlesex Street, Unit 5.

Tohni Nguyen, co-owner of Hot Pot, appeared before the Commission. Commission Chair Descoteaux confirmed that these were the only amendments to their license they were applying for.

At the hearing, no one spoke in favor or against the application for transfer of license.

**Move approval by Commissioner Chhan; seconded by Commissioner Krieger. 3 years, APPROVED.**

- 8 Hearing regarding the communication from Barry Golner, Interim Superintendent of Police, dated March 1, 2023, regarding allegations of misconduct charged against MBOA Alliance LLC, d/b/a Sahel Restaurant & Lounge, 135 Central Street, Peter Tamajong, License Manager, all alcoholic beverages restaurant licensee. Allegations of misconduct occurred Sunday, February 26, 2023, and are namely: 1) failure to comply with general conditions for an alcoholic beverages License, including crowd control, closing hours, and re-entry hours. 2) failure to promptly notify Lowell Police of the developing situation on the premises.

At the hearing held by the License Commission on April 13, 2023, the following individuals appeared before the licensing board: Emile Kamadeu Wendeu Wendeu, Peter Tamajong, Dan Gibson (employee), and Captain David Peaslee of the Lowell Police Department. Attorney Alethea Dys-Peirce was present for the City of Lowell.

Lowell Police Captain Peaslee read the Chief of Police's Complaint to the Commission, after which Mr. Tamajong reviewed some routines followed at Sahel Restaurant. Mr. Tamajong also referenced the difficulty they had obtaining licensure. Commission Chair Descoteaux explained that the purpose of the hearing is to make sure that the operators and owners of Sahel Restaurant understand their responsibilities – particularly as they impact safety.

MBOA Alliance LLC co-owner and LLC Manager, Emile Kamadeu Wendeu Wendeu corroborated the incident as outlined in the police complaint, provided additional context, and took full responsibility for the incident. Peter Tamajong, co-owner and Liquor License Manager of Record, also spoke and provided some additional general context. Mr. Wendeu also provided a brief review of the restaurant's training process and committed to improving. The License Commission recognized the Licensee's challenges, investment, and

place in the community. Commission Chair Descoteaux further explained that the Lowell Police Department should be called upon to help with any situations that come up – and that no penalty is incurred for obtaining assistance.

The Commission found that the failure to remove all patrons between 1:30 and 2:00 AM, and to prevent people from entering/re-entering the building during this time constitutes a violation of Lowell License Commission Regulations 2.01 and 2.02.

The License Commission further determined that the Licensee was responsible for the original violation of 1.20, failure to notify Lowell Police Department of any violation of the law (specifically 2.01 and 2.02 as described above).

After hearing the witnesses and reviewing the evidence, The Commission voted to suspend the Licensee's all alcoholic beverages restaurant license for two consecutive days, and to hold this suspension in abeyance for 90 days to July 12, 2023.

**Motion by Commissioner Krieger for two days suspension held in abeyance for 90 days, seconded by Commissioner Chhan. On a roll-call vote: C. Descoteaux – Y; C. Krieger – Y; C. Chhan – Y. 3 yeas, APPROVED.**

**ADJOURNMENT:**

**Commissioner Krieger made a motion to adjourn at 18:30, seconded by Commissioner Chhan. 3 yeas, APPROVED.**

*Submitted by: John Pyers  
Executive Secretary*





# April 13, 2023 Meeting of the Lowell License Commission

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Draft Transcript

**Commissioner Descoteaux [18:02]**

Good evening. Welcome to the April 14 meeting of the Lowell license - April 13, 2023. My apologies. Secretary Pyers was the meeting posted?

**Secretary Pyers**

It was.

**Commissioner Descoteaux**

Roll call please.

**Secretary Pyers**

Commission Chair Descoteaux?

**Commissioner Descoteaux**

Here.

**Secretary Pyers**

Commissioner Howe is absent. Commissioner Krieger?

**Commissioner Krieger**

Here.

**Secretary Pyers**

Commissioner Donahue is absent. Commissioner Chhan?

**Commissioner Chhan**

Here.

**Secretary Pyers**

Three present two absent. Zeroth is the acceptance of the March 23, 2023 minutes.

**Commissioner Krieger**

Move approval.

**Commissioner Descoteaux**

Move approval by Commissioner Krieger seconded by Commissioner Chhan All in favor signify by saying aye. Aye. Any opposed? The motion carries. Number one on the agenda, please.

**Secretary Pyers**

Application by Bob Kefalas for a "Special One Day License to sell/dispense All Alcoholic Beverages" for the Hellenic American Academy Comedy Night Fundraiser on Saturday, April 29, 2023 from 6:30 to 11 PM at the Academy, 41 Broadway Street.

# April 13, 2023 Meeting of the Lowell License Commission

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Draft Transcript

**Commissioner Descoteaux**

Good evening, state your name for the record, sir.

**Haralambos Kefalas**

Haralambos Kefalas.

**Commissioner Descoteaux**

how are you?

**Haralambos Kefalas**

I'm well how are you?

**Commissioner Descoteaux**

Very good. Tell us about your event.

**Haralambos Kefalas**

So we have a comedy night. As Tony said, on April 29. It's going to start at six roughly about 10 to 11. And I'm here to ask for a one day permit to serve alcohol.

**Commissioner Descoteaux**

And do you have a TIPs certified bartender on that?

**Haralambos Kefalas**

Yes, we usually do.

**Commissioner Descoteaux**

Right and how many people are you anticipating at your event?

**Haralambos Kefalas**

On a good night? Probably 200.

**Commissioner Descoteaux**

Now that's good; it's a good showing.

**Haralambos Kefalas**

We're hoping.

**Commissioner Descoteaux**

You know Commissioner Krieger is a stand-up comedian. So I don't know if you need a backup.

**Haralambos Kefalas**

More than happy to have you too maybe the opening act.



# April 13, 2023 Meeting of the Lowell License Commission

Draft Transcript

## **Commissioner Descoteaux**

All right questions or comments for the applicant. Move approved by Commissioner Krieger seconded by Commissioner Chhan All in favor signify by saying aye. Aye. Any opposed? Bob? Have a good night.

## **Haralambos Kefalas**

Be safe everybody.

## **Commissioner Descoteaux**

All right, good bye.

## **Secretary Pyers**

Application by Alaina Brackett, owner of Purple Carrot Bread Co., for a "Special One Day License to sell/dispense Malt Beverages & Wines" for a Pappardelle Menu Launch on Saturday, April 22, 2023 from 5 to 9PM at Purple Carrot, 107 Merrimack Street.

## **Commissioner Descoteaux**

Good evening, state your name for the record.

## **Alaina Brackett**

Alaina Brackett

## **Commissioner Descoteaux**

How are you?

## **Alaina Brackett**

I'm good. How are you?

## **Commissioner Descoteaux**

Good. How are things going?

## **Alaina Brackett**

Good. Yeah, getting a lot of buzz for the new restaurant.

## **Commissioner Descoteaux**

Yeah, I think we're all excited for you.

## **Alaina Brackett**

Yeah,

## **Commissioner Descoteaux**

Very good. Very good. So tell us what's going to happen that night.

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## **Alaina Brackett**

So this is where we did a complete menu for Pappardelle and we're going to launch it at this dinner at purple carrot so people coming to the dinner can try menu items that will be at Pappardelle when we do open.

## **Commissioner Chhan**

Commissioner Krieger.

## **Commissioner Krieger**

Yeah. Did you bring a Pappardelle so you can show us what this is?

## **Alaina Brackett**

No.

## **Commissioner Krieger**

Can you describe it?

## **Alaina Brackett**

So pappardelle is actually a type of pasta. It's the wide flat pasta. It's bigger than like fettuccine or linguini. We're going to be doing fresh pasta. And like Northern, a style Italian

## **Commissioner Krieger**

Northern. So do you cut it up or do you twirl on your fork?

## **Alaina Brackett**

I'm a twirler. A lot of people cut it up.

## **Commissioner Krieger**

All right, well, I guess I'm a southern Italian.

## **Commissioner Descoteaux**

Any further questions or comments for the applicant? **Motion on the floor by Commissioner Chhan to approve second by Commissioner Krieger.** All in favor signify by saying aye. Aye. Any opposed? Motion carries Alaina, thank you good luck hope things go well. Okay, take care.

## **Secretary Pyers**

Applications by Amanda Etinge, for six "Special One Day Licenses to sell/dispense Malt Beverages and Wines only," for the following events at the Hellenic Center, 41 Broadway Street:

- a. Saturday, May 6, 2023, 7-12:30 AM: Celebration of Life.
- b. Saturday, May 13, 2023, 7PM - 12:30AM: Mother's Day Celebration.



# April 13, 2023 Meeting of the Lowell License Commission

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Draft Transcript

**Commissioner Descoteaux**

Hi, Amanda.

**Amanda Etinge**

Hi, John.

**Commissioner Descoteaux**

How are you?

**Amanda Etinge**

I'm good. I'm tired.

**Commissioner Descoteaux**

You're tired. What's going on?

**Amanda Etinge**

It's too hot up here.

**Commissioner Descoteaux**

You're too - why? Come on, come on. So we got two events here for you, right?

**Amanda Etinge**

Yes, sir.

**Commissioner Descoteaux**

Captain Peaslee, have we had any issues with Amanda in any of her events?

**Captain David Peaslee**

No issues at all.

**Commissioner Descoteaux**

All right. Amanda, the police department has given me the okay. **Make a motion by Commissioner Krieger and seconded by Commissioner Chhan** to afford you these two applications. You have a good evening and go near the air conditioner. All right.

**Amanda Etinge**

Thank you, John. Good night.

**Commissioner Descoteaux**

Buh-bye.

# April 13, 2023 Meeting of the Lowell License Commission

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Draft Transcript

## **Secretary Pyers**

Applications by Joel Mongeon for four "Special One Day License to sell/dispense Malt Beverages & Wines" for concerts that will be held from 6 to 11 PM at Mill No. 5, 250 Jackson Street:

- a. Friday, April 28, 2023, 6-11 PM: Town & City Concert.
- b. Saturday, April 29, 2023, 6-11 PM: Town & City Concert.

## **Commissioner Descoteaux**

Good evening, state your name for the record.

## **Joel Mongeon**

Joel Mongeon.

## **Commissioner Descoteaux**

How are you Joel?

## **Joel Mongeon**

I'm well how are you?

## **Commissioner Descoteaux**

How are things going?

## **Joel Mongeon**

Great.

## **Commissioner Descoteaux**

Doing all right?

## **Joel Mongeon**

Yep.

## **Commissioner Descoteaux**

Fantastic. Two more events coming up.

## **Joel Mongeon**

Yep.

## **Commissioner Descoteaux**

Captain Peaslee, is everything good over there?

## **Captain David Peaslee**

Everything's great over there.



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## **Commissioner Descoteaux**

Fantastic. Glad glad to hear you guys are doing well over there.

## **Joel Mongeon**

Thank you

## **Commissioner Descoteaux**

Questions or comments for Joel? **Move approved by Commissioner Chhan second by Commissioner Krieger** All in favor signify by saying Aye. Any opposed? Motion carries. Joel well done.

## **Joel Mongeon**

Thanks, have a great night.

## **Secretary Pyers**

Application by Patrick Fitzgibbons, Aramark, for a "Special One Day License to sell/dispense Malt Beverages & Wines" for a Spring Fashion Show on Tuesday, April 18, 2023, from 5:30 to 8 PM at Coburn Hall, 850 Broadway Street.

## **Commissioner Descoteaux**

Good evening, state your name for the record.

## **Patrick Fitzgibbons**

Patrick Fitzgibbons.

## **Commissioner Descoteaux**

How are you, Patrick?

## **Patrick Fitzgibbons**

Very good.

## **Commissioner Descoteaux**

What's going on this event?

## **Patrick Fitzgibbons**

So this is a design course with graduating seniors who were they're showing off the dresses that they've made for the year and we're good final showing and they're having Prosecco and white wine.

## **Commissioner Descoteaux**

Very good. Questions or comments for Patrick? **Motion on the floor by Commissioner Krieger, Seconded by Commissioner Chhan.** All in favor signify by saying aye. Aye. Any opposed? The motion carries. Patrick, Good luck.

# April 13, 2023 Meeting of the Lowell License Commission

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Draft Transcript

**Patrick Fitzgibbons**

Have a good day

**Commissioner Descoteaux**

Take care.

**Secretary Pyers**

Application for Second Hand Motor Vehicles – Used Car Dealer, Class II, for Lowell Used Car Dealer Inc., Dinh Nguyen, President, for premises at 771 Dutton Street, an open lot, approx. 8100 sq. ft. with an office that is shared with Ben Auto Body. Conditions: Maximum of twenty-seven cars for sale and two parking spaces for customer/employee.

**Commissioner Descoteaux**

Good evening state your name for the record.

**Cuong "Tony" Mai**

My name is Tony Mai, I'll help my friend of powder form he barely speak English. So I will do most of the talk and

**Commissioner Descoteaux**

very good. Thank you very much. If I'm not mistaken, John, this is this. Basically we're look we're looking at the same application as the previous owner. Is that correct?

**Secretary Pyers**

The same conditions. The same space.

**Commissioner Descoteaux**

I see in your notes it says "if you wish you can add a statement like 'no junk cars on lot'." What are you? What do you refering?

**Secretary Pyers**

Oh, that's simply something that's on many of the licenses as a condition. It's not that you necessarily need to add it. They're renting from Kazanjian. Right. All right. And what does kazanjian do

**Cuong "Tony" Mai**

They manage an auto body shop, and all but so the huge car lot and body shop in the same owner. Yeah, yeah, we're using Office four, seven car. That's it.

**Secretary Pyers**

Yeah.



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**Commissioner Descoteaux**

All right. We're looking; the only difference here. We were looking for two additional parking spaces that correct?

**Secretary Pyers**

They've already included it.

**Commissioner Descoteaux**

Okay.

**Secretary Pyers**

Okay.

**Commissioner Descoteaux**

So there is plenty of spaces over there. I'm pretty sure if I remember last time was over there. Yeah.

**Secretary Pyers**

The plan - the plan, the actual drawing of the plan is exactly the same as last time. Okay. But they-Dinh - has added to two additional spaces for customers. Yeah,

**Commissioner Descoteaux**

Questions or comments for the applicant?

**Commissioner Krieger**

Yeah, I'm not too clear on the spaces. It says Two parking spaces for customer employee. I read that as two spaces for both the customer and employee. And I was thinking there might be more than one employee. So...

**Cuong "Tony" Mai**

He's the owner. He's employee persons - he's the only one

**Commissioner Descoteaux**

So if he's the only one while you do you need to you need two?

**Cuong "Tony" Mai**

For cars, in case you come in to buy a vehicle or something. That's why you need two.

**Commissioner Krieger**

Where does Ben's Auto Body Park?

**Cuong "Tony" Mai**

Oh, the Autobody go right. Instead of building the car come and go inside a building.

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**Commissioner Krieger**

Okay.

**Commissioner Descoteaux**

Commissioner Chhan?

**Commissioner Chhan**

I drove by. I stopped by the 27 just the should be enough. It's right in the corner of Billy and Dutton Street. Yep. There might be a lot of cleaning to do I recommend that.

**Commissioner Descoteaux**

I don't have a problem with it. And but I want to make sure Commissioner Chhan is heard here. So let's make sure before you get everything going here that whole area is cleaned up really well. Alright, so it looks presentable for the public. Okay. You're all set with that.

**Cuong "Tony" Mai**

Yes. We're clean

**Commissioner Chhan**

Commissioner Chhan, you're all set?

**Commissioner Descoteaux**

All right motion on the floor by Commissioner Chhan seconded by Commissioner Krieger. All in favor, signify by saying aye. Aye. Any opposed? Motion carries. So tell him we wish him the best of luck in his new enterprise.

**Cuong "Tony" Mai**

Okay, thank you so much.

**Commissioner Descoteaux**

All right. You have a good night.

**Secretary Pyers**

Public hearing on the application by Hot Pot District LLC [d/b/a] Hot Pot, to amend their "All Alcoholic Beverages restaurant" license, with a change of officers and ownership interest for premises at 135 Middlesex Street, Unit 5.

**Commissioner Descoteaux**

State your name for the record. Your name, please.

**Tohni Nguyen**

Oh, good evening. My name is Tohni Nguyen. So I'm the one of the owner of the hot pot district. Okay, yes.

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Draft Transcript

## **Commissioner Descoteaux**

Okay, John, we have gone through this whole process. Now we're just looking at just the change of the officers, is that correct?

## **Secretary Pyers**

That's correct.

## **Commissioner Descoteaux**

Okay. So everything is in order. Nothing has changed at all right?

## **Secretary Pyers**

That's correct.

## **Commissioner Descoteaux**

All right. Are there any questions or comments for the applicant? No. **Motion on the floor by Commissioner Chhan seconded by Commissioner Krieger.** All in favor signify by saying aye. Aye. Any opposed? Motion carries. You're all set.

## **Tohni Nguyen**

Thank you.

## **Commissioner Descoteaux**

Good luck.

## **Tohni Nguyen**

Thank you all so much. Thank you.

## **Secretary Pyers**

Hearing regarding the communication from Barry Golner, Interim Superintendent of Police, dated March 1, 2023, regarding allegations of misconduct charged against MBOA Alliance LLC, d/b/a Sahel Restaurant & Lounge, 135 Central Street, Peter Tamajong, License Manager, all alcoholic beverages restaurant licensee. Allegations of misconduct occurred Sunday, February 26, 2023, and are namely: 1) failure to comply with general conditions for an alcoholic beverages License, including crowd control, closing hours, and re-entry hours. 2) failure to promptly notify Lowell Police of the developing situation on the premises.

## **Commissioner Descoteaux**

State your name for the record.

## **Emile Kamadeu Wendeu Wendeu**

My name is Emile Kamadeu.



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**Commissioner Descoteaux**

And the gentleman?

**Dan Gibson**

My name is Dan Gibson. Pleasure to be here.

**Commissioner Descoteaux**

Are you representing the client?

**Dan Gibson**

No.

**Commissioner Descoteaux**

You're not.

**Dan Gibson**

I'm part of the management team.

**Commissioner Descoteaux**

You're part of the management team there. Okay. I'm gonna let Captain Peaslee read the complaint and then we'll go on from there. Okay. Okay. Thank you.

**Captain David Peaslee**

Thank you, Mr. Commissioner.

Lowell Police Department respectfully request that enforcement action be taken against the MBOA Alliance, which does business as Sahel Restaurant and Lounge 135 central street in Lowell. Specifically for violations that took place on February 26 2003, specifically violation of Section 2.01 hours of operation, violation of 2.02 patron entry hours, which specifically states patrons shall not be allowed to reenter or to enter or reenter a licensed establishment one half hour prior to the licensed establishments closing time. And for the third violation of 1.20 illegal activities, which states all licensees for the sales and service of alcoholic beverages either the individual the partnership, the manager of record for a corporation shall notify the local police department immediately by telephone or otherwise, when any violation of law disorder disturbance taking place or is about to take place on their premises.

On Sunday morning, February 26, 2023, at approximately 2:15 am, officers assigned to the Lowell Police Neighborhood Action Unit were assisting with patrol units in the downtown area when they observed a large crowd gathered in the front door area of the Sahel Restaurant and Lounge located at 135 Central Street. The officers observed several patrons to be exiting as well as re-entering the establishment freely. The officers noted that at this time the bar should have been closed, with the interior lights on. Based upon their observations, they parked their cruiser and entered the lounge to investigate further.

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Upon entering the lounge, officers observed a crowd of approximately 20-30 patrons still inside the main first floor bar level. Additionally, upon walking down into the basement bar, officers discovered more patrons in this area. They also observed the bar staff to be quickly clearing glasses and bottles from the top of the bar.

Eventually, officers located a male who identified himself as the owner of the bar (*EMILE KAMADEAU WENDEU WENDEU*) as well as another male who identified himself as the General Manager (*JIMMY NORMIL*). Officers noted that neither man was attempting in any way to remove the crowd from the bar. When both *EMILE KAMADEAU WENDEU* and *JIMMY NORMIL* were asked by officers why they were allowing this large crowd to stay in the bar after hours, *EMILE KAMADEAU WENDEU* stated that they had hired a DJ on this night and that the crowd that attended was much larger than they had anticipated. He stated that his staff could not handle the crowd and he did not know what he should do. Officers advised both men that a simple call to the police asking for assistance would have prevented incident this from happening.

After approximately 10-15 minutes, the officers on scene, with the help of backup officers, were able to clear the crowd out of the bar and disperse them.

This incident is very concerning for a couple of reasons. First, the bar admitted that they held an event that created a situation they were not prepared to handle. Specifically, they allowed a large crowd into the lounge knowing that their security staff was understaffed and not properly trained to handle such a crowd. Second, the owner and general manager were observed to be complacent and were making no attempt to disperse the crowd that was now in their bar against the terms of their Alcohol Beverage License nor did they notify or request assistance from the Lowell Police Department.

For the reasons stated above. Superintendent Golner asked the License Commission to schedule this hearing to discuss these violations.

## **Commissioner Descoteaux**

Thank you, Captain. Appreciate that. I want to make sure I'm pronouncing your last name correctly. Kamadeu. Okay. You've heard the complaint by Captain Peaslee. Do you see any inaccuracies at all in the police report?

## **Emile Kamadeu Wendeu Wendeu**

Thank you very much for giving me the chance to explain what happened that day. On that night of the February 26, I was in my in my office when I heard a little bit of noise coming you know, compared to through different, different night. So I went downstairs and I saw an officer and he was actually trying to explain to my general manager what was going on. So what I did, I asked him a question if there was any violation because as the owner, I was not directly involved. To the night I was actually in my office and my general manager was on the floor. So he told me that there were a few violation. First of all, they were patron entering into the premise after 2:15 AM and they were one person downstairs. That



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was apparently was not looking pretty well. I think she was intoxicated from what he told me and and I did I immediately asked my manager to make a count of how many people were actually our staff member, plus the, the DJ, the DJ, team that came for that for that night. So we were approximately 10 to 15 people that we count. So what I want to say is, we've been, since we started this project in 2017, we have worked hard to get to the level where we are, and we still facing a lot of challenges. So that day was a was one of those day where, you know, as you plan, well, you know, the (?), that doesn't work well. So that was the only event we had, where we have a difficult to ask people to leave the premises after 1:30, we usually stop everything at 1:30. And it took us, you know, almost 30, 30 minute to ask people to leave. But we usually have security, there, we hire a professional security company. But I want to say that was in one event that we learn a lot, especially from the police officer, they told us exactly what we need to do and what we what we can do if those types of issues happen again. So we want to say that we are totally comply with what is on the report. What we asking is, we want to continue doing business. And we want to do it the right way, as usual. So anything that we can do to make our operation going the normal way to work with the city, and the police, we'll continue doing it. Thank you.

### Dan Gibson

And I just wanted to introduce the license holder, Peter has arrived. And on behalf of myself, Dan Gibson and the management team at Sahel, we can't thank John enough for helping us understand this incident. We've had nothing but terrific relations with the Lowell Police Department. This evening, I think we learned a lot of putting the lights up at 1:30 different things. And I've reviewed John has given me certain advice. I've reviewed all of the regulations with our staff. And this will not happen again. And we thank you for your patience. And Peter would like to say a few words if that's okay.

### Commissioner Descoteaux

Now, who is the manager of record? (Peter Tamajong) All right. Who's - you said the general manager - who's the general manager?

### Emile Kamadeu Wendeu Wendeu

It is Jimmy, unfortunately, is not feeling well today. So yeah, I also play the role of the manager when I'm on site.

### Commissioner Descoteaux

Okay, so we have three people here that are owners, co owners, right.

### Dan Gibson

We have two owners; I'm on the management team.

### Commissioner Descoteaux

Okay. Sir, if you, what's your name?

### Peter Tamajong

My name is Peter Tamajong, I'm sorry.



# April 13, 2023 Meeting of the Lowell License Commission

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Draft Transcript

## **Commissioner Descoteaux**

What - you wanted to say something?

## **Peter Tamajong**

No, I just wanted to say, we've been here so many times. And I was telling them before coming here that we work so hard to have the liquor license, and we want to make sure that we we comply, and we're working very hard to get everything lined up. And every time that we have business there. We make sure that we follow the rules and get people out. And surely the days that we have more people in the in the staff is sometimes difficult to liquidate them, give them the deals before they leave. And and that's the challenge that we have some time. But customers when it's 1:30. We don't - account is close and we don't sell. But some some days we were many people come in to help us promoters and people coming to sell security cleaning, because you have to get ready for next day. And he'll look like coming in and out in and out. So it's

## **Commissioner Descoteaux**

Okay.

## **Peter Tamajong**

We're learning.

## **Commissioner Descoteaux**

All right. I actually remember you gentlemen. I'm sure Commissioner Krieger remembers when you came here, I believe, five, six years ago. And I think you were dealing with some electrical issues and building codes and that type of thing. And you persevered and you moved on and you got the place going and then the pandemic came. So that didn't help you at all. And the construction of the central street bridges obviously put a damper on business. I fully understand that. Now I empathize with that situation. But one thing, and I'm sure Commissioner Krieger and Commissioner Chhan agree with me, is that: When we do give these licenses out to applicants, it's with the understanding that the applicant has a full understanding of the Lowell license regulations. It's very be important. And it seems as if the three of you didn't have a full comprehension of those rules. At that time. We're not here to put you out of business, we want to make sure that people are having a good time, and they're not leaving a place and something horrific happens. You know, that's, that's what we do here to make sure your place is safe. And we're here to make sure that you're following the rules and regulations of the Lowell License Commission. All right. Your general manager, is he fully - has a full understanding of the rules and regulations now, because you had mentioned in your opening statement that you were in your office, and still being the owner, I would. I know, when I owned the bar that I always knew when 1:30 came that the lights went on, and I called Last call. So you have to take some responsibility. It's incumbent upon you to take the responsibility, that if your general manager isn't doing his job, then you have to step in and make sure that everything is being followed. So you have to take some blame in this. All right, yeah,

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**Emile Kamadeu Wendeu Wendeu**

I totally take full responsibility. And I just want to add that I'm called certified. So they, and when we hire any manager or supervisor, we do have some training that we give them. But like we mentioned, that night was one of those nights where you know, you have certain event or situation that go a little bit beyond what we usually plan

**Commissioner Descoteaux**

you want to be do- You want to stop there, you don't want to; you don't want to continue. Alright. I'll let the other Commissioners ask questions that they like. I want to make sure that each of you understand the rules and regulations and that you're not before this board again.

**Peter Tamajong**

Absolutely.

**Commissioner Descoteaux**

Okay, so Commissioner Krieger and Commissioner Chhan ask any questions that they like at this time?

**Commissioner Krieger**

Any questions? I'm sorry, I don't have any questions. I'm prepared with the motion, though.

**Commissioner Chhan**

All right, Commissioner Chhan. I don't have any question either. Commissioner Krieger.

**Commissioner Krieger**

Yeah, I, this is serious business. And therefore we need a serious response. But as the Chairman said, we're not about putting you out of business. We're about you making money so you can pay taxes, and you helping the public enjoy themselves. So I would move a license suspension for two days held in abeyance for 90 days.

**Commissioner Descoteaux**

Do you understand what that means?

**Emile Kamadeu Wendeu Wendeu**

Can you please elaborate?

**Dan Gibson**

I have an understanding.

**Commissioner Descoteaux**

You both you both are looking at - all three of you looking at me like you have no, no idea.



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Draft Transcript

**Dan Gibson**

I think it would be unfortunate if we have to get to that level. But I understand exactly what you're saying. I've been involved in the hospitality business since 1982. And I think they understand us in abeyance, meaning there'll be a suspension for two days, it will not be executed, it will be held in abeyance for 90 days, correct.

**Commissioner Descoteaux**

That's correct

**Dan Gibson**

what they're saying.

**Commissioner Descoteaux**

So if something does happen within that 90 day period, and you come before us, those days will be served on top of something else that may, this board may issue it at another hearing if if you do come before us, you do understand that. You understand that. Alright, so this is kind of a a warning or a slap on the wrist. But I Commissioner Krieger is correct that this is serious business. And we have to make sure that the public is safe. And I appreciate everything that you've said here. It sounds to me as though you're quite sincere. And you want to make this work. You've put a lot of time and investment in this and you want to make sure it works. And the Lowell Police Department is there for you. If you do have problems if you do a problem dispersing your crowd, call the Lowell Police Department, you've covered yourself, okay. That's most important is that you've done your job. All right. We're having a difficult time getting patrons out. Whatever the case may be, once you give them a call. You've told this board that you've done your due diligence. All right, and the Lowell Police Department will do their job and make sure to help you all right. They're not there. To hurt your business. They are to help your business.

**Peter Tamajong**

We do.

**Dan Gibson**

They actually - we have great relations appreciate everything the police have done.

**Commissioner Descoteaux**

When Captain Peaslee spoken Hi love us highly of the establishments that occurrence. So we appreciate that. Motion is on the floor by Commissioner Krieger for two days, suspension will be held in abeyance for 90 days and is seconded by Commissioner Chhan. All in favor signify by saying aye. Aye. Aye. Aye. Any opposed? Motion carries. Gentlemen. Good luck.

**Emile Kamadeu Wendeu Wendeu**

Thank you.



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Draft Transcript

**Dan Gibson**

Thank you very much.

**Commissioner Descoteaux**

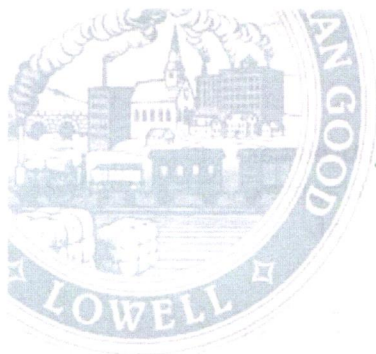
All right.

**Commissioner Krieger**

Move to adjourn.

**Commissioner Descoteaux [18:30]**

Move for adjournment by Commissioner Krieger seconded by Commissioner Chhan All in favor signify by saying Aye. Any opposed? Motion carries. Ladies and gentlemen, have a good evening.



John Descoteaux  
Commission Chair

Cliff Krieger  
Joseph Donahue  
Martha Howe  
Tha Chhan

Commissioners

Michael Q. Geary  
City Clerk, City of Lowell  
Lowell, Massachusetts

April 11, 2023

Dear Sir:

In compliance with Massachusetts General Law chapter 30A, sections 18–25, notice is hereby given that a meeting of the License Commission of the City of Lowell is scheduled to take place on Thursday, April 13, 2023 at 6:00 PM. Members of the public may attend in-person in the City Council Chambers, City Hall, 375 Merrimack St., Lowell, MA 01852; or join remotely by Zoom: Meeting ID: 857 2849 6787 Passcode: 152938.

John Pyers, Executive Secretary

- 0 Acceptance of the meeting minutes for March 23, 2023.
- 1 Applications by Bob Kefalas for a "Special One Day License to sell/dispense All Alcoholic Beverages" for the Hellenic American Academy Comedy Night Fundraiser on Saturday, April 29, 2023 from 6:30 to 11 PM at the Academy, 41 Broadway Street.
- 2 Application by Alaina Brackett, owner of Purple Carrot Bread Co., for a "Special One Day License to sell/dispense Malt Beverages & Wines" for a Pappardelle Menu Launch on Saturday, April 22, 2023 from 5 to 9PM at Purple Carrot, 107 Merrimack Street.
- 3 Applications by Amanda Etinge, for six "Special One Day Licenses to sell/dispense Malt Beverages and Wines only," for the following events at the Hellenic Center, 41 Broadway Street:
  - a. Saturday, May 6, 2023, 7-12:30 AM: Celebration of Life.
  - b. Saturday, May 13, 2023, 7PM - 12:30AM: Mother's Day Celebration.
- 4 Applications by Joel Mongeon for four "Special One Day License to sell/dispense Malt Beverages & Wines" for concerts that will be held from 6 to 11 PM at Mill No. 5, 250 Jackson Street:
  - a. Friday, April 28, 2023, 6-11 PM: Town & City Concert.
  - b. Saturday, April 29, 2023, 6-11 PM: Town & City Concert.
- 5 Application by Patrick Fitzgibbons, Aramark, for a "Special One Day License to sell/dispense Malt Beverages & Wines" for a Spring Fashion Show on Tuesday, April 18, 2023, from 5:30 to 8 PM at Coburn Hall, 850 Broadway Street.

Public Notice Continued

- 6 Application for Second Hand Motor Vehicles – Used Car Dealer, Class II, for Lowell Used Car Dealer Inc., Dinh Nguyen, President, for premises at 771 Dutton Street, an open lot, approx. 8100 sq. ft. with an office that is shared with Ben Auto Body. Conditions: Maximum of twenty-seven cars for sale and two parking spaces for customer/employee.
- 7 Public hearing on the application by Hot Pot District LLC [d/b/a] Hot Pot, to amend their "All Alcoholic Beverages restaurant" license, with a change of officers and ownership interest for premises at 135 Middlesex Street, Unit 5.
- 8 Hearing regarding the communication from Barry Golner, Interim Superintendent of Police, dated March 1, 2023, regarding allegations of misconduct charged against MBOA Alliance LLC, d/b/a Sahel Restaurant & Lounge, 135 Central Street, Peter Tamajong, License Manager, all alcoholic beverages restaurant licensee. Allegations of misconduct occurred Sunday, February 26, 2023, and are namely: 1) failure to comply with general conditions for an alcoholic beverages License, including crowd control, closing hours, and re-entry hours. 2) failure to promptly notify Lowell Police of the developing situation on the premises.

Adjournment.

